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TO: MAIL STOP PETITIONS
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FROM: GUY V. TUCKER

COMPANY: U.S. Patent & Trademark Office

PHONE NUMBER: 650-631-3100

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September 7, 2005

RE:

TOTAL NO. OF PAGES INCLUDING COVER: 8

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NOTES/COMMENTS:

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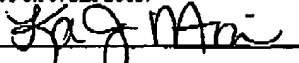
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PATENT

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I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on 07SEP2005:

Signed: _____


Karen Moir

In the United States Patent and Trademark Office

Applicant: Patton et al.

Applicant's Ref: 0001.13

Application No: 10/693,318

Filed: October 24, 2003

Title: METHOD AND DEVICE FOR
DELIVERING AEROSOLIZED
MEDICAMENTS

Examiner: A. Lewis

Group Art Unit: 3761

PRELIMINARY AMENDMENT AND RESPONSE TO DECISION ON PETITION

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This amendment is being filed preliminary to the Examination of the above-referenced application and in response to the Decision on Petition mailed on July 8, 2005. The earlier filed petition and the decision thereon are believed to be moot in view of the present amendment. By the present amendment, Applicant is adding the substance of page 20 (alleged to be missing) by amendment. Support for the amendment is provided in the Remarks section of the present response. The present amendment is being filed in accordance with revised rule 37 CFR 1.121. Thus, marked-up amendments to the claims and/or specification are provided and no clean versions of the amendments are provided.